

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF ROCKY MOUNTAIN</b>	)	<b>CASE NO. PAC-E-21-04</b>
<b>POWER'S APPLICATION FOR APPROVAL</b>	)	
<b>OF THE NON-EXCLUSIVE LIGHT POLE</b>	)	<b>NOTICE APPLICATION</b>
<b>ATTACHMENT LEASE AGREEMENT</b>	)	
<b>WITH CINGULAR WIRELESS</b>	)	<b>NOTICE OF MODIFIED</b>
	)	<b>PROCEDURE</b>
	)	
	)	<b>NOTICE OF TELEPHONIC</b>
	)	<b>CUSTOMER HEARING</b>
	)	
	)	<b>ORDER NO. 34972</b>

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On February 22, 2021, PacifiCorp dba Rocky Mountain Power ("Company") applied to the Commission for an order approving a Lease Agreement ("Lease") between the Company and New Cingular Wireless PSC, LLC ("Cingular"). The Company submitted its Application under *Idaho Code* §§ 61-328 and 61-332, et. seq. The Company requested its Application be processed under Modified Procedure.

With this Order, the Commission provides notice of the Application, sets deadlines for interested persons to comment on the Application and for the Company to reply, and schedules a telephonic hearing for customers.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Lease allows Cingular to attach small cell wireless facilities on the Company's street light poles. The Lease is for a ten-year term with automatic one-year renewals until either party terminates it. Cingular will submit applications to use individual street light poles to the Company. The Company will grant or deny those applications.

YOU ARE FURTHER NOTIFIED that non-metered service may be provided to Cingular under the Company's Electric Service Regulation No. 4. Alternatively, the Company may provide metered service.

YOU ARE FURTHER NOTIFIED that the Company's Application and any attachments are available for public inspection during regular business hours at the Commission's

NOTICE OF APPLICATION  
 NOTICE OF MODIFIED PROCEDURE  
 NOTICE OF TELEPHONIC CUSTOMER HEARING  
 ORDER NO. 34972

office. The Application and any attachments are also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "ELECTRIC" icon, select "Open Cases," and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on the Company's Application may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until April 28, 2021 to file written comments.** Comments must be filed through the Commission's website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

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**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074

[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

Street Address for Express Mail:

11331 W. Chinden Blvd.,  
Building 8, Suite 201-A  
Boise, ID 83714

**For Rocky Mountain Power:**

Ted Weston  
John Hutchings  
1407 W. North Temple, Suite 330  
Salt Lake City, UT 84116  
[Ted.Weston@pacificorp.com](mailto:Ted.Weston@pacificorp.com)  
[John.Hutchings@pacificorp.com](mailto:John.Hutchings@pacificorp.com)

Data Request Response Center  
825 NE Multnomah, Suite 2000  
Portland, OR 97232  
[datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by May 5, 2021.**

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for a formal hearing.

**NOTICE OF TELEPHONIC CUSTOMER HEARING**

YOU ARE FURTHER NOTIFIED that the Commission's Rules of Modified Procedure contemplate that a case will be processed by written submissions without the need for a public hearing. However, the Commission finds good cause in this case to schedule a public hearing for the Company's customers because the Company filed its Application seeking approval of a Lease Agreement under *Idaho Code* § 61-328, and that statute requires a public hearing.

YOU ARE FURTHER NOTIFIED that the Commission will conduct a telephonic customer hearing in this matter on **Monday, April 26, 2021 at 1:30 p.m. MDT.** The purpose of the hearing is to take testimony from Company customers, public officials, and other persons not related to parties in the case. To participate, interested persons can call **1-415-655-0001** shortly before or at the designated time, and enter **meeting number 133 992 2574** when prompted.

YOU ARE FURTHER NOTIFIED that the telephonic customer hearing will meet accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a

sign language interpreter or other assistance in order to participate in or to understand testimony at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
P.O. BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

### **ORDER**

IT IS HEREBY ORDERED that a telephonic customer hearing for the Company's customers and interested members of the public be held in this case on **Monday, April 26, 2021 at 1:30 p.m. MDT.**

IT IS FURTHER ORDERED that this case be processed by Modified Procedure. Interested persons must file written comments by April 28, 2021. The Company must file any reply comments by May 5, 2021.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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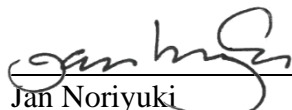
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25<sup>th</sup>  
day of March 2021.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jan Noriyuki  
Commission Secretary

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